

REMARKS

In the non-final Office Action dated March 18, 2008, it is noted that claims 1 – 17 are pending; that claims 1 – 14 are objected to; that claims 1 – 17 stand rejected under 35 U.S.C. §101; and that claims 1 – 17 stand rejected under 35 U.S.C. §103. Claims 1, 6 and 12 are independent.

In the present amendment, claims 1 – 17 have been amended to more clearly and distinctly claim the subject matter that Applicant regard as his invention. The Abstract and the Specification have also been amended. No new matter has been added.

Objection to the Abstract

The disclosure is objected to because of the following informalities:

The abstract, line 5, recites the word “includes” which appears to be a misspelling of the word “include”.

The abstract, line 5, recites “(a)” as a step and should be deleted as there are no additional steps labeled in the paragraph.

The abstract, line 7, the word “and” should be inserted before the word “applying.”

The abstract, line 15, contains the acronym “WLAN” which should be spelled out with the acronym appearing in parenthesis.

In the present amendment, Applicant has amended the Abstract substantially as suggested by the Examiner to correct these informalities. No new matter has been added. Applicant respectfully requests that the objection to the abstract be withdrawn.

Objection to the Specification

The specification is objected to because, the specification, page 1, line 20, the first occurrence of the acronym “WLAN” should be spelled out with the acronym appearing in parenthesis.

In the present amendment, Applicant has amended the Specification to correct this informality. No new matter has been added. Applicant respectfully requests that the objection to the specification be withdrawn.

Arrangement of the Specifications

The specification has been objected to for not being broken into sections with corresponding section headings.

Applicant thanks the Examiner for providing information about recommended section headings. However, Applicant respectfully declines to add the headings. Section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for applicant's use. (See Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75 (“Section 1.77 is permissive rather than mandatory. ... [T]he Office will not require any application to comply with the format set forth in 1.77”).

Accordingly, withdrawal of this objection to the specification is respectfully requested.

Claim Objections

The claims are objected to because of the following informalities:

Claims 1 and 4 – 17 should have all references to drawing steps and/or numerals deleted from the claims.

Claim 1, page 7, recites the limitation “at least one slave device attached to one of a second bus and a third bus.” As the claim states only one slave device must be attached to a bus, the word ‘and’ should be changed to ‘or’ on lines 13 and 17.

Claim 3, page 7, line 23 recites the limitation “the instantaneous change in cycle time.” There is insufficient antecedent basis for the limitation in the claim.

Claim 5, page 8, line 7 contains the acronym “SBA” wherein the first occurrence of the acronym should be spelled out with the acronym appearing in parenthesis.

Claim 6, page 9, line 11 recites the limitation “the second bus.” There is insufficient antecedent basis for the limitation in the claim.

Claim 8, page 9, line 16 recites the limitation “the instantaneous change in cycle time.” There is insufficient antecedent basis for the limitation in the claim.

Claim 11, page 10, line 6 should have the word “to” inserted after the word “attached.”

Claim 12, page 10, lines 20 and 21 contain the phrase “each of” which should be deleted as there is only one master device listed.

In the present amendment, claims 1 – 17 have been amended to correct these informalities. No new matter has been added. Applicant respectfully requests that the objection to the claims be withdrawn.

Rejections under 35 U.S.C. §101

In the Office Action, it is stated that claims 1 – 17 are rejected under 35 U.S.C. §101 as the claimed invention is directed to non-statutory subject matter. In particular, the invention as claimed synchronizes, transmits and receives messages without producing a useful, concrete and tangible result. Applicant respectfully traverses this rejection.

Applicant submits that claims 1 – 17 have a useful, concrete, and tangible result. For example, in one embodiment, a useful, concrete and tangible result of the claimed invention is that the master device and the slave device are synchronized. This result is concrete and tangible because the clocks in these devices are in agreement. One ordinarily skilled in the art would appreciate the usefulness of having devices that are synchronized, for example, 1394 standard uses a synchronous system for timing (see specification, page 2, lines 9 – 10). Therefore, the claimed invention has a useful, concrete, and tangible result.

Withdrawal of the rejection of claims 1 – 17 under 35 U.S.C. §101 is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1 – 3, 5 – 8 and 10 – 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aiello et al (Aiello) (US Patent Publication No. 2002/0018458 A1) in view of Straub et al (Straub) (US Patent No. 6,914,895 B1).

Claims 4, 9 and 12 – 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aiello et al (Aiello) (US Patent Publication No. 2002/0018458 A1) in view of Straub et al (Straub) (US Patent No. 6,914,895 B1) and in further view of Shpak (US Patent Publication No. 2003/0207697 A1).

Response to Arguments

Applicant submits that for at least the following reasons, claims 1 – 3, 5 – 8 and 10 – 11 are patentable over Aiello and Straub, alone or in combination.

For example, claim 1 requires:

“synchronizing an internal time base of a wireless master device attached to a first bus by receiving a Software Beacon Alert that indicates a time of a subsequent transmission.”

Aiello, paragraphs [0026] and [0073], apparently teaches that a master device issues a “master sync code” in the data frame for synchronizing the slave devices using one or more correlators and a phase or delayed locked loop mechanism. However, Applicant submits that Aiello does not teach *“synchronizing an internal time base of a wireless master device attached to a first bus by receiving a Software Beacon Alert that indicates a time of a subsequent transmission,”* as claimed. This is because Aiello only disclosed the synchronizing of the slave devices, but not the master device (see Figs. 3a and 3b). Furthermore, Aiello teaches the **sending** of a “master sync code” by the master device, but does not teach or suggest the **“receiving a Software Beacon Alert that indicates a time of a subsequent transmission”** by the master device. Applicant submits that nothing in Aiello teaches or suggests that a “Software Beacon Alert” is used for *“synchronizing an internal time base of a wireless master device.”* Therefore, Aiello does not teach or suggest *“synchronizing an internal time base of a wireless master device attached to a first bus by receiving a Software Beacon Alert that indicates a time of a subsequent transmission,”* as claimed.

In addition, claim 1 also requires:

“applying the Software Beacon Alert to a first phase-lock loop circuit associated with the master device to create a filtered Software Beacon Alert.”

Aiello apparently shows that the master device sends out the “master sync” and that only the slave devices applying the “master sync” to the phase lock mechanism (Fig. 3b, paragraphs [0026] and [0073]). However, Aiello does not show any “*phase-lock loop circuit associated with the master device*” (Fig. 3a), or the master device “*applying the Software Beacon Alert to a first phase-lock loop circuit associated with the master device to create a filtered Software Beacon Alert.*”

Furthermore, claim 1 requires:

“said first phase-lock loop circuit uses a phase detector with an asymmetrical gain about zero error.”

In the Office Action, it is alleged that Aiello, paragraphs [0068] – [0070], discloses the above claimed feature. Applicant respectfully disagrees. Aiello, apparently discloses a phase offset detector 54 that carries out the operation of ascertaining the phase delay between the expected zero-delay pulse location, and the actual position of the incoming pulses. However, nothing in Aiello teaches or suggests that the phase detector has “*an asymmetrical gain about zero error.*” Aiello, paragraph [0069], discloses that the phase detector uses a training bit pattern to determine the phase offset. Applicant submits that the phase offset detector 54 that uses a training bit pattern is not the same as the “*phase detector with an asymmetrical gain about zero error*” as claimed. Therefore, Aiello does not teach or suggest that “*said first phase-lock loop circuit uses a phase detector with an asymmetrical gain about zero error.*”

Applicant further submits that Straub, which apparently relates to synchronization in a communications network comprising at least two buses interconnected by a wireless communications network, does not teach or suggest any of the above claimed features.

In view of the foregoing, Applicant submits that claim 1 is patentable over Aiello and Straub, alone or in combination. Independent claim 6 is also believed to be patentable over Aiello and Straub because it contains many similar distinguishing features as discussed above for claim 1. Claims 2 – 3, 5 and 7 – 8, 10 – 11 should also be patentable because they respectively

depend from claims 1 and 6, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 1 – 3, 5 – 8 and 10 – 11 under 35 U.S.C. §103(a) is respectfully requested.

Applicant further submits that Shpak, does not in any way cure the deficiencies found in Aiello and Straub as discussed above for claim 1. Therefore, independent claim 12 should also be patentable over Aiello, Straub and Shpak, alone or in combination, because claim 12 contains many similar distinguishing features as discussed above for claim 1. Claims 4, 9 and 13 – 17 are believed to be patentable because they respectively depend from claims 1, 6 and 12, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 4, 9, and 12 – 17 is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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